

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

THE ESTATE OF SUSIE BRAWHAW, BY AND
THROUGH MAGNOLIA MAYS, ADMINISTRATRIX
OF THE ESTATE OF SUSIE BRAWHAW, FOR THE USE
AND BENEFIT OF THE WRONGFUL DEATH
BENEFICIARIES OF THE ESTATE OF SUSIE BRAWHAW

PLAINTIFF

v.

CIVIL ACTION
NO. 2:006-CV-194-WAP-SAA

MARINER HEALTH CARE, INC. F/K/A MARNIER
POST-ACUTE NETWORK, INC.; MARINER HEALTH CENTRAL INC.;
NATIONAL HERITAGE REALTY, INC.; MARNIER
HEALTH CARE MANAGEMENT COMPANY F/K/A LC
MANAGEMENT COMPANY; MHC MIDAMERICA
HOLDING CO.; MHC HOLDING CO.; EVERGREEN
HEALTHCARE, INC; GRANCARE, LLC;
UNIDENTIFIED ENTITIES 1 THROUGH 10 AND
JOHN DOES 1 THROUGH 10
(AS TO BOLIVAR HEALTH & REHABILITATION CENTER)

DEFENDANTS

ORDER

Plaintiff, the estate of Susie Brawhaw, seeks an order compelling production of documents sought in Brawhaw's First Requests for Production of Documents and its First Set of Interrogatories filed on March 11, 2008. The discovery deadline in this case was March 13, 2008. RULE 7.2(B)(2) of the UNIFORM LOCAL RULES OF THE UNITED STATES DISTRICT COURTS FOR THE NORTHERN AND THE SOUTHERN DISTRICTS OF MISSISSIPPI requires that discovery motions be filed sufficiently in advance of the discovery deadline so as not to affect the deadline. Filing the motion two days before the deadline did not allow for adequate time for the defendants to respond, for the court to make its ruling or for the requested discovery to occur prior to the deadline. Accordingly, it is

ORDERED

That plaintiff's motion to compel production of documents is **denied**.

THIS the 13^h day of June 2008.

____/s/ S. ALLAN ALEXANDER_____
S. ALLAN ALEXANDER
U.S. MAGISTRATE JUDGE